



PATENT
Attorney Docket No. 05725.1348-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Andrew GREAVES et al.) Group Art Unit: 1715
)
Application No.: 10/814,336) Examiner: Elhilo, Eisa B.
)
Filed: April 1, 2004)
) Confirmation No.: 5352
)
For: PROCESS FOR DYEING HUMAN)
KERATIN MATERIALS, HAVING A)
LIGHTENING EFFECT, COMPRISING AT)
LEAST ONE FLUORESCENT DYE AND)
COMPOSITIONS COMPRISING THE)
SAME)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal, duly organized under the laws of France and having its principal place of business at 14, Rue Royale, 75008 Paris, France, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/814,336, filed April 1, 2004, for PROCESS FOR DYEING HUMAN KERATIN MATERIALS, HAVING A LIGHTENING EFFECT, COMPRISING AT LEAST ONE FLUORESCENT DYE AND COMPOSITIONS COMPRISING THE SAME in the names of Andrew GREAVES, Nicolas DAUBRESSE, and Xavier RADISSON, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 015831, Frame 0474 on September 28, 2004.

Assignee, L'Oréal, further represents that it is the assignee of the entire right, title and interest in and to the following patents:

(1) U.S. Patent Application No. 10/814,300 (issued as U.S. Patent No. 7,204,860), as indicated in assignment duly recorded in the United States Patent and Trademark Office at Reel 015801, Frame 0150 on September 17, 2004.

(2) U.S. Patent Application No. 10/814,335 (issued as U.S. Patent No. 7,195,651), as indicated in assignment duly recorded in the United States Patent and Trademark Office at Reel 015685, Frame 0394 on August 17, 2004.

(3) U.S. Patent Application No. 10/814,428 as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 015900, Frame 0146 on October 18, 2004.

(4) U.S. Patent Application No. 10/814,337 (issued as U.S. Patent No. 7,150,764), as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 016085, Frame 0240 on December 17, 2004.

(5) U.S. Patent Application No. 10/814,585 (issued as U.S. Patent No. 7,192,454), as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 016085, Frame 0209 on December 17, 2004.

(6) U.S. Patent Application No. 10/814,333 (issued as U.S. Patent No. 7,195,650), as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015796, Frame 0768 on September 17, 2004.

(7) U.S. Patent Application No. 10/814,236, as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015790, Frame 0251 on September 16, 2004.

(8) U.S. Patent Application No. 10/814,338 (issued as U.S. Patent No. 7,198,650), as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015796, Frame 0958 on September 17, 2004.

(9) U.S. Patent Application No. 10/814,334 (issued as U.S. Patent No. 7,147,673), as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015801, Frame 0088 on September 17, 2004.

(10) U.S. Patent Application No. 10/814,430 (issued as U.S. Patent No. 7,186,278), as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015685, Frame 0097 on August 17, 2004.

(11) U.S. Patent Application No. 10/814,305 (issued as U.S. Patent No. 7,208,018), as indicated in assignment duly recorded in the U.S. Patent and Trademark Office at Reel 015901, Frame 0954 on October 18, 2004.

Evidentiary documents have been reviewed and, to the best of Assignee's knowledge and belief, title to both the instant application and U.S. Patent Nos. 7,204,860; 7,195,651; 7,150,764; 7,192,454; 7,195,650; 7,198,650; 7,147,673; 7,186,278; and 7,208,018, and U.S. Applications Nos. 10/814,428; and 10/814,236 is in the Assignee submitting this Terminal Disclaimer.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 7,204,860; 7,195,651; 7,150,764; 7,192,454; 7,195,650; 7,198,650; 7,147,673; 7,186,278; and 7,208,018, and U.S.

Applications Nos. 10/814,428; and 10/814,236 is in the Assignee submitting this Terminal Disclaimer, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent and co-pending applications or patents issuing therefrom are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent Nos. 7,204,860; 7,195,651; 7,150,764; 7,192,454; 7,195,650; 7,198,650; 7,147,673; 7,186,278; and 7,208,018, and U.S. Applications Nos. 10/814,428; and 10/814,236 is in the Assignee submitting this Terminal Disclaimer, as presently shortened by any terminal disclaimer, in the event that the prior patent or patents issued on the listed co-pending applications later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this Terminal Disclaimer.

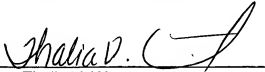
If there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge any such fees to Deposit Account No. 06-0916.

The undersigned is authorized to execute this terminal disclaimer on behalf
of Assignee, L'Oréal.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 25, 2007

By: 
Thalia V. Warnement
Reg. No. 39,064